


**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION**

FILED BY  D.C.
05 OCT 19 PM 2:29

DANIEL J. HAVENS and
ASHLEY HAVENS,

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TENNESSEE

Plaintiffs,

vs.

Civil Action No. 05-2553 MaP

STONEBRIDGE LIFE INSURANCE
COMPANY f/k/a J.C. PENNY LIFE
INSURANCE COMPANY,

Defendant.

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on October 20, 2005.

Present were Ron McAfee, counsel for plaintiff, and Jay M. Atkins, counsel for Stonebridge Life Insurance Company f/k/a J.C. Penny Life Insurance Company. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26(a)(1): November 2, 2005

JOINING PARTIES: December 20, 2005

AMENDING PLEADINGS: December 20, 2005

INITIAL MOTIONS TO DISMISS: January 20, 2006

COMPLETING ALL DISCOVERY: June 20, 2006

(a) DOCUMENT PRODUCTION: June 20, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR

ADMISSIONS: June 20, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT

INFORMATION: March 20, 2006

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT

INFORMATION: April 15, 2006

(3) EXPERT WITNESS DEPOSITIONS: June 20, 2006

FILING DISPOSITIVE MOTIONS: May 19, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. *It is anticipated the trial will last 3-4 days.*

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation ~~after~~ *before* the close of discovery.

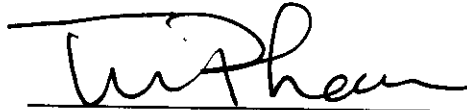
The parties are reminded that pursuant to Local Rule 11 (a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

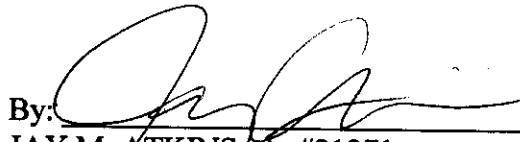


Tu M. Pham

UNITED STATES MAGISTRATE JUDGE

DATE: October 18, 2005

Approved for Entry:



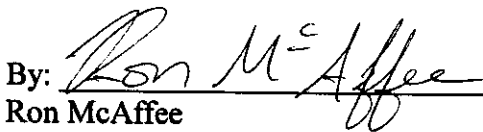
JAY M. ATKINS #21371

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Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02553 was distributed by fax, mail, or direct printing on October 24, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT